



Attorney Docket No. 21898.00

Customer No. 37833

Confirmation No. 7140

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE *PATENT* APPLICATION OF:

APPLICANT : **RONALD L. BLACK *et al.***

APPL. NO. : **10/748,226**

ART UNIT : **1725**

FILED : **DECEMBER 31, 2003**

EXAMINER: **ABOAGYE, M.**

TITLED : **NITROGEN SAVING DEVICE**

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
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RESPONSE TO ELECTION REQUIREMENT

Sir:

In the Office Action dated June 13, 2006, the Examiner required an election of species under 35 U.S.C. § 121 prior to an examination on the merits of application. The "patentably distinct" species of the claimed invention as identified by the Examiner are: as follows:

- I. Claims 1-10, drawn to a purge gas saver for brazing installation that includes: a valve housing, a plunger, an adjustable screw and a compression spring.
- II. Claims 11-20, drawn to a purge gas saver for brazing installation that includes: a dual torch gas shutoff valve, a brazing torch, a pivot arm, a valve housing, a plunger, an adjustable screw and a compression spring.

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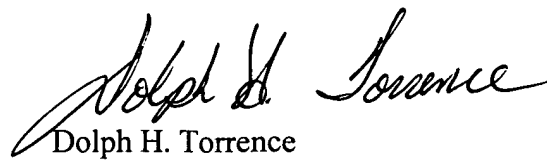
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In compliance with the Examiner's requirement, Applicants provisionally elect with traverse for further prosecution the embodiment defined by Claims 1-10 (designated as Species 1). As noted by the Examiner, Claims 1-10 are considered to be readable on the elected species.

Notwithstanding the propriety of the election requirement for examination purposes, Applicants contend that they should be entitled to a consideration of a limited number of related embodiments falling within the scope of a generic inventive concept. Moreover, it would appear that a search and examination of the entire application could be accomplished without a serious burden on the Examiner since the multiple embodiments identified of record would seemingly encompass a common field of search. Applicants note that the Examiner has held Claim 1 to be generic.

Therefore, it is respectfully requested that the Examiner withdraw the election requirement and issue an action on the merits of both claimed embodiments presently in the application. Alternatively, should the Examiner maintain the requirement, Applicant awaits a complete action on the merits of the elected subject matter.

Respectfully submitted,



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